

**REMARKS**

Reconsideration and withdrawal of the rejections set forth in the Office Action dated September 24, 2003 is respectfully requested. Claims 4 and 9-10 have been canceled without prejudice, with at least some of their subject matter incorporated into other claims. Claims 1-3, 5-8 and 11-22 remain pending in this application.

**The Rejections**

Claims 1-22 were rejected under 35 U.S.C. §103 as being unpatentable over Montville et al, U.S. Patent No. 6,356,937 B1 (hereafter "Montville") in view of Borr, U.S. Patent No. 6,516,351 B2 (hereafter "Borr"). For the reasons set forth below, Applicant respectfully traverses these rejections and respectfully requests their withdrawal.

**The Cited Art**

Montville discloses an e-mail system for providing basic e-mail service to system subscribers or a secure, premium service with authentication, concealment, integrity, and non-repudiation functions. In either form and at either level of service, subscribers can work off-line on their own computers with proprietary software loaded or, alternatively, on-line on any computer with an Internet connection. Digital certificates can be provided as a security service of the disclosed system, rather than requiring a second source with separate verification procedures. As additional optional features, the subscriber can control compression of outgoing attachment files, rather than having that function absent or operate in some automatic way. Decompression of such file attachments when received occurs automatically for subscribers, without having to invoke a different program or system. Interactive help features, book hierarchy uniformity for messages, accounts, certificates, virus warnings, and dual naming capability are also provided in both basic and premium service levels.

Borr discloses a method and system for correct interoperation of multiple diverse file server or file locking protocols, using a uniform multi-protocol lock management system. A file

server determines, before allowing any client device to access data or to obtain a lock, whether that would be inconsistent with existing locks, regardless of originating client device or originating protocol for those existing locks. A first protocol enforces mandatory file-open and file-locking together with an opportunistic file-locking technique, while a second protocol lacks file-open semantics and provides only for advisory byte-range and file locking. Enforcing file-locking protects file data against corruption by NFS client devices. A CIFS client device, upon opening a file, can obtain an "oplock" (an opportunistic lock). When a client device issues a non-CIFS protocol request for the oplocked file, the file server sends an oplock-break message to the CIFS client device, giving the CIFS client device the opportunity to flush any cached write operations and possibly close the file. Allowing NFS and NLM requests to break oplocks ensures that file data remains available to NFS client devices simultaneously with protecting integrity of that file data. A CIFS client device can obtain a "change-monitoring" lock for a directory in the file system, so as to be notified by the file server whenever there is a change to that directory. The file server notes changes to the directory by both CIFS and non-CIFS client devices, and notifies those CIFS client devices with "change-monitoring" locks of those changes.

#### The Cited Art Distinguished

The Examiner relies on a the following paragraph of Montville in forming his rejections:

When receiving messages, the application displays the information important in describing the message(s), the content of the message(s), and the size of the message(s). This information is referred to as the header information of the message(s). At first, only the header information is retrieved from the mail server and displayed to the user. When the user selects a message to be read, then the complete message is downloaded and displayed to the user. Furthermore, attachment listings are provided prior to download. Some incoming messages may be encrypted, digitally signed, and/or compressed. The application automatically performs decryption, digital signature verification, and/or decompression as necessary. Montville, column 16, lines 42-54.

With respect to Applicant's independent claim 1, Montville does not teach the automatic retrieval of code from a server over a network upon the opening for viewing of an e-mail message after the e-mail has already been received over the network. That is, with Applicant's invention, the e-mail is received first, and then is selected for opening, while with Montville only header

information is received, and then the selected e-mail is downloaded for viewing. Furthermore, Montville does not teach the initialization of an application program comprised, at least in part, from the retrieved code. Montville speaks only of attachments. If, *arguendo*, an attachment is an application program, Montville does not teach any initialization of the application program (i.e. getting it ready for execution). Furthermore Montville does not teach the automatic execution of an application program within the context of the electronic message after its initialization. Borr does not cure the deficiencies of Montville with respect to claim 1. Applicant therefore respectfully requests the withdraw of the rejection of claim 1 and the claims 2-3, 5-8 and 11-14 that are dependent thereon.

With respect to Applicant's independent claim 15, Montville does not teach the automatic retrieval of code from a server over a network upon the opening for viewing of an e-mail message as set forth above. Furthermore, Montville does not teach the initialization of an application program comprised, at least in part, from the retrieved code. Furthermore Montville does not teach the automatic execution of the application program within the context of the electronic message after its initialization. Borr does not cure the deficiencies of Montville with respect to claim 15. Applicant therefore respectfully requests the withdraw of the rejection of claim 15 and claims 19-22 dependent thereupon.

With respect to Applicant's independent claim 16, Montville does not teach an electronic message comprising the combination of a data object including text and an application program object initialized, at least in part, by being automatically received, at least in part, over a network after the receipt and opening for viewing of the data object, where the application program object is automatically executed after its initialization. Borr does not cure the deficiencies of Montville with respect to claim 1. Applicant therefore respectfully requests the withdraw of the rejection of claim 16 and the claims 17-18 that are dependent thereon.

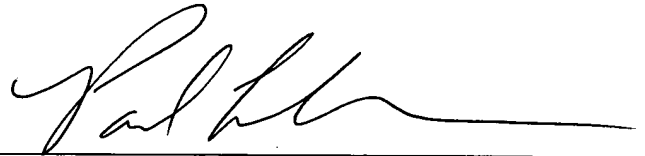
Conclusion

In view of the foregoing, the applicant submits that the claims pending in the application patentably define over the art of record. A Notice of Allowance is therefore respectfully requested.

If in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is encouraged to call the undersigned at (650) 838-4443.

Respectfully submitted,  
Perkins Coie LLP

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